

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/779,086
Applicant: Chinery *et al.*
Filed: February 7, 2001
TC/A.AU.: 1639
Examiner: Bennett M. Celsa

Confirmation No. 2259

Docket No.: 04676.105058 (ATH 108 CON1)
Customer No.: 20786

Commissioner for Patents
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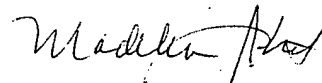
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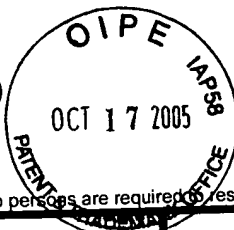
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Respectfully submitted,


Madeline I. Johnston
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Sheet 1 of 10

Complete if Known

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Group Art Unit 1639
Examiner Name Bennett Celsa
Attorney Docket Number 04676.105058 ATH 108 CON 1

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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	AA	3,479,407		LAUFER	11-18-1969	
	AB	3,576,883		NEUWORTH	04-27-1971	
	AC	4,029,812		WAGNER, et al.	06-14-1977	
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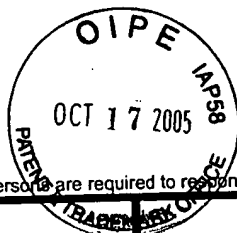
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Sheet **2** of **10**

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		Number	Kind Code (if known)			
	BA	5,783,596		MEDFORD, et al.	07-21-1998	
	BB	5,792,787		MEDFORD, et al.	08-11-1998	
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		Office ³	Number	Kind Code ² (if known)				
	BM	DE	DT 27 16 125	A1	KOBAYAKAWA, et al.	10-27-1977		
	BN	EP	0,292,660	A2	KU, et al.	11-30-1988		
	BO	EP	0,348,203	A1	KITA, et al.	02-24-1993		
	BP	EP	0,405,788	A2	MATSUMOTO, et al.	01-11-1995		
	BQ	EP	0,418,648	B1	JENDRALLA, et al.	03-27-1991		
	BR	EP	0,621,255	A1	REGNIER, et al.	10-26-1994		

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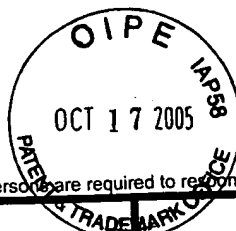
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		Office ³	Number	Kind Code ² (if known)				
	CA	EP	0,763,527	B1	REGNIER, et al.	04-26-2000		
	CB	FR	2,130,975		ARIES	11-10-1972		
	CC	FR	2,133,024		ARIES	11-24-1972		
	CD	FR	2,134,810		ARIES	12-08-1972		
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	CK	JP	8040888 Abstract	A	AJINOMOTO	02-13-1996		
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	CO	WO	95/15760	A1	MAO, et al.	06-15-1995		
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	CS	WO	97/15546	A1	AOKI, et al.	05-01-1997		
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	CU	WO	98/51662	A2/A3	MEDFORD, et al.	11-19-1998		

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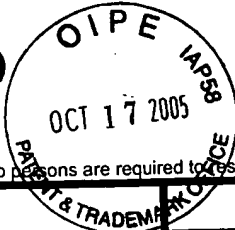
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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	DA	Advanced Cancer Meta-Analysis Project (P. Piedbois, et al.), "Modulation of fluorouracil by leucovorin in patients with advanced colorectal cancer: evidence in terms of response rate", <i>J. Clin. Oncol.</i> , 10(6):896-903 (June, 1992).	
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	DD	ANDERSON, T.J., et al., "The effect of cholesterol-lowering and antioxidant therapy on endothelium-dependent coronary vasomotion", <i>N. Eng. J. Med.</i> , 332(8):488-493 (1995).	
	DE	ANONYMOUS, "AtheroGenics announces positive Phase II results from CART-1 clinical trial for restenosis: study analyses suggest AGI-1067 directly affects coronary artery disease", <i>Atherogenics, Inc., Press Release</i> , (2001).	
	DF	BARNHART, J.W., et al., "Chapter 10: The Synthesis, metabolism, and biological activity of probucol and its analogs, 277-299 XP002095165	
	DG	BARON, J.L., et al., "The pathogenesis of adoptive murine autoimmune diabetes requires an interaction between α -4-integrins and vascular cell adhesion molecule-1", <i>J. Clin. Invest.</i> 93:1700-1708 (April 1994).	
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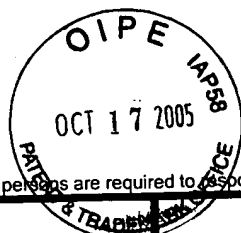
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	EA	CHANG, et al., "Molecular cloning of a transcription factor, AGP/EBP, that belongs to members of the C/EBP family", <i>Mol. Cell. Biol.</i> , 10(12):6642-6653 (December 1990).	
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	EN	FOLKMAN, J., et al., "Angiogenesis", <i>J. Biol. Chem.</i> , 267(16):10931-10934 (June 5, 1992).	

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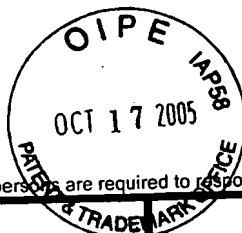
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	FA	FRUEBIS, J.A., et al., "A comparison of the antiatherogenic effects of probucol and of a structural analogue of probucol in low density lipoprotein receptor-deficient rabbits", <i>J. Clinical Investigation, Inc.</i> , 94:392-398 (July 1994).	
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	FD	GUO, H.B., et al., "Clinical significance of serum S100 in metastatic malignant melanoma", <i>Eur. J. Cancer</i> , 31A(6):924-928 (1995).	
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	FF	HACKER, M.P., et al., "Effect of disulfiram (tetraethylthiuram disulfide) and diethyldithiocarbamate on the bladder toxicity and antitumor activity of cyclophosphamide in mice", <i>Cancer Res.</i> , 42(11):4490-4494 (November 1982).	
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	FJ	KAPILOFF, M.S., et al., "Variable effects of phosphorylation of Pit-1 dictated by the DNA response elements", <i>Science</i> , 253:786-789 (August 16, 1991).	
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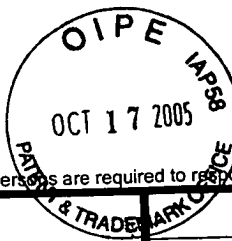
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	09/779,086
Filing Date	February 7, 2001
First Named Inventor	Chinery, R., et al.
Group Art Unit	1639
Examiner Name	Bennett Celsa
Attorney Docket Number	04676.105058 ATH 108 CON 1

Sheet 7 of 10

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	GA	KUNSCH, C., et al., "Oxidative stress as a regulator of gene expression in the vasculature", <i>Circ. Res.</i> 85:753-766 (1999).	
	GB	KUZUYA, M., et al., "Probucol prevents oxidative injury to endothelial cells", <i>J. Lipid Res.</i> , 32:197-204 (1991).	
	GC	LANDSCHULZ, et al., "Isolation of a recombinant copy of the gene encoding C/EBP gene", <i>Genes & Dev.</i> , 2:786-800 (1988).	
	GD	LANKIN, V.A., et al., "Antiradical and antioxidative properties of probucol and its structural analog during oxidation of unsaturated phospholipids in natural and artificial membranes", <i>Chemical Abstracts</i> , 127(6):75973u (1996). [Original: <i>Dokl. Akad. Nauk</i> , 351(4):554-557 (1996) [in Russian]]	
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	GG	MAO, et al., "Antioxidant activity of Probucol and its analogues in hypercholesterolemic Watanabe rabbits", <i>J. Med. Chem.</i> , 34(18) 298-302 (1991).	
	GH	MAO, et al., "Attenuation of atherosclerosis in a modified strain of hypercholesterolemic Watanabe rabbits with use of a Probucol analogue (MDL#29,311) that does not lower serum cholesterol", <i>Arteriosclerosis and Thrombosis</i> , 11(5):1266-1275 (September / October 1991).	
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	GK	MENG, et al., "Novel phenolic antioxidants as multifunctional inhibitors of inducible VCAM-1 expression for use in atherosclerosis", <i>Bioorg. & Med. Chem. Lett.</i> 12:2545-2548 (2002).	
	GL	MILLER, G.J., "High density lipoproteins and atherosclerosis", <i>Ann. Rev. Med.</i> , 31:97-108 (1980).	
	GM	MORALES-DUCRET, J., et al., "α4β1 integrin (VLA-4) ligands in arthritis: vascular cell adhesion molecule-1 expression in synovium and on fibroblast-like synoviocytes", <i>J. Immunol.</i> , 149(4):1424-1431 (August 15, 1992).	
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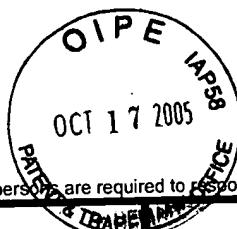
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				Application Number	09/779,086	
Sheet		8	of	10	Examiner Name	Bennett Celsa
					Attorney Docket Number	04676.105058 ATH 108 CON 1

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
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	HA	OBERLEY, L.W., et al., "Antitumor therapies based on inhibition of antioxidant enzymes", Oxy Radicals Their Scavenger Syst., Proc. Int. Conf. Superoxide Superoxide Dismutase, 3rd (1983), Meeting Date 1982, Vol. 2:242-254. Editor(s): Cohen, G., and Greenwald, R.A. Publisher: Elsevier, New York, NY. Chem. Abstr. 100:326 (1984).	
	HB	OFFERMAN, M.K., et al., "Antioxidant sensitive regulation of inflammatory response genes in Kaposi's sarcoma cells", J. of AIDS and Hum. Retro., 13(1):1-11 (1996). XP002089729	
	HC	OHKAWARA, Y., et al., "In situ expression of the cell adhesion molecules in bronchial tissues from asthmatics with air flow limitation: In vivo evidence of VCAM-1/VLA-4 interaction in selective eosinophil infiltration", Am. J. Respir. Cell. Mol. Biol., 12:4-12 (1995).	
	HD	OROSZ, C.G., et al., "Role of the endothelial adhesion molecule VCAM in murine cardiac allograft rejection", Immunol. Lett., 32:7-12 (1992).	
	HE	PARTHASARATHY, S., et al., "Probucol inhibits oxidative modification of low density lipoprotein", J. Clin. Invest., 77:641-644 (1986).	
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	HH	POLI, V., et al., "IL-6DBP, a nuclear protein involved in interleukin-6 signal transduction, defines a new family of leucine zipper proteins related to C/EBP", Cell, 63:643-653 (November 2, 1990).	
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	HK	RABB, H.A., et al., "The role of the leukocyte adhesion molecules VLA-4, LFA-1 and Mac-1 in allergic airway responses in the rat", Am. J. Respir. Crit. Care Med., 149:1186-1191 (1994).	
	HL	RAMASAMY, S., et al., "Modulation of expression of endothelial nitric oxide synthase by nordihydroguaiaretic acid, a phenolic antioxidant in cultured endothelial cells", Molecular Pharmacology, 56:116-123 (1999); available online at http://www.molpharm.org	

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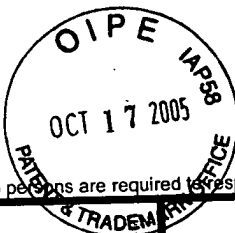
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	IA	RIGHETTI, S.C., et al., "A comparative study of p53 gene mutations, protein accumulation, and response to cisplatin-based chemotherapy in advanced ovarian carcinoma", <i>Cancer Res.</i> , 56:689-693 (Feb. 15, 1996).	
	IB	RINNINGER, et al., "Probucol enhances selective uptake of HDL-associated cholesteryl esters in vitro by a scavenger receptor B-I-dependent mechanism", <i>Atheroscler. Throm. Vasc. Biol.</i> , 19:1325-1332 (1999). XP-008001008.	
	IC	RIORDAN, H.D., et al., "Case study: high dose intravenous Vitamin C in the treatment of a patient with adenocarcinoma of the kidney", <i>J. Orthomolecular Med.</i> , 5(1) 5-7 (1990). XP002074538	
	ID	RIPOLL, E.A.P., et al., "Vitamin E enhances the chemotherapeutic effects of Adriamycin on human prostatic carcinoma cells in vitro", <i>J. Urol.</i> , 136(2):529-531 (1986). <i>Biological Abstracts</i> , 82:82084938. XP002080075	
	IE	ROBERTS, C.P., et al., "Regulation of monocyte to macrophage differentiation by antigluccorticoids and antioxidants", <i>Am. J. Obstet. Gynecol.</i> , 179(2):354-362 (1998).	
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	IG	RYDEN, T.A., et al., "Avian retroviral long terminal repeats bind CCAAT/ Enhancer-Binding Protein", <i>Mol. Cell. Biol.</i> , 9(3):1155-1164 (1989).	
	IH	SAWAYAMA, Y., et al., "Effects of Probucol and Pravastatin on common carotid atherosclerosis in patients with asymptomatic hypercholesterolemia", <i>Journal of the American College of Cardiology</i> , 39(4):610-616 (2002)	
	II	SCHEFFNER, M., et al., "The state of the p53 and retinoblastoma genes in human cervical carcinoma cell lines", <i>Proc. Natl. Acad. Sci. U.S.A.</i> , 88:5523-5527 (1991).	
	IJ	SINGH, S.V., et al., "Cytochrome P450 reductase, antioxidant enzymes and cellular resistance to doxorubicin", <i>Biochem. Pharmacol.</i> , 40(2):385-387 (1990). <i>Chem. Abstr.</i> 113:108901 (1990).	
	IK	STEINBERG, D., et al., "Modifications of low-density lipoprotein that increase its atherogenicity", <i>N. Eng. J. Med.</i> , 220(14):915-924 (1989).	
	IL	SUBRAMANIAN, S., et al., "Oxidant and antioxidant levels in the erythrocytes of breast cancer patients treated with CMF", <i>Med. Sci. Res.</i> , 21(2):79-80 (1993). <i>Chem. Abstr.</i> 118:161022 (1993).	
	IM	SZCZEPANSKA, I., et al., "Inhibition of leucocyte migration by cancer chemotherapeutic agents and its preventions by free radical scavengers and thiols", <i>Eur. J. Haematology</i> , 40(1):69-74 (1988); <i>Biological Abstracts</i> 85:85106445. XP002080076	

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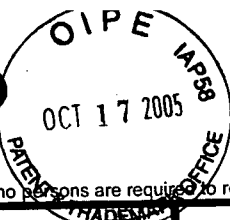
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	JA	TARDIF, J.C., et al., "Antioxidants and restenosis: human studies", in Tardif, J.C., et al., eds., Antioxidants and Cardiovascular Disease, Boston, Mass.: Kluwer Academic Publishers (2000):175-191.	
	JB	TARDIF, J.C., et al., "Effects of AGI-1067 and Probucol after percutaneous coronary interventions", <i>Circulation</i> , 107(4):552-558 (2003).	
	JC	TRAUTWEIN, C., et al., "Protein kinase A and C site-specific phosphorylations of LAP (nf-IL6) modulate its binding affinity to DNA recognition elements", <i>J. of Clin. Investig.</i> , 93(6):2554-2561 (1994). XP002090666	
	JD	TYAGI, S.C., et al., "Reduction-oxidation (redox) state regulation of extracellular matrix metalloproteinases and tissue inhibitors in cardiac normal and transformed fibroblast cells", <i>J. Cellular Biology</i> , 61(1):139-151 (1996): abstract from <i>Biological Abstracts</i> , 96:98730849. XP002089732	
	JE	WEITZMAN, S.A. et al., "Prospective study of tocopherol prophylaxis for anthracycline cardiac toxicity", <i>Curr. Ther. Res. Cl</i> , 28(5):682-686 (11/1980). <i>Chem. Abstr.</i> 80:3993.	
	JF	WHITTAKER, J.A., et al., "Effect of digoxin and vitamin E in preventing cardiac damage caused by doxorubicin in acute myeloid leukemia", <i>British Medical Journal</i> (England), 288:283-284 (01/28/1984). <i>Chem. Abstr.</i> 84:2926.	
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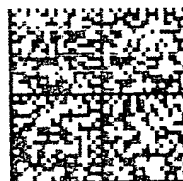
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 Statements by Applicant Form PTO/SB/08A (10 pp.);
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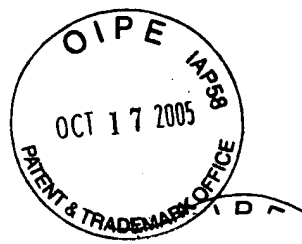


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Attorney	Sherry M. Knowles, Esq.
Date Mailed	November 18, 2003
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